

Serial No. 09/014087

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carlyle, et al.

Examiner: Paul Prebilic

Serial No.: 09/014087

Group Art Unit: 3738

Filed: January 27, 1998

Docket No.: 01610.0053-US-01

Title: PROSTHESIS WITH ASSOCIATED GROWTH FACTORS

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this document is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 25, 2003.

Hallie A. Finucane
Name

Hallie A. Finucane
Signature

Supplemental Information Disclosure Statement Under 37 C.F.R. §1.97(d)

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant(s) respectfully submit(s) the items of information on the enclosed Form 1449 for the attention of the Examiner in the above-identified application.

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 C.F.R. 1.97(c), which is after the mailing date of a Final Action under 37 C.F.R. §1.113 or after a Notice of Allowance under 37 C.F.R. §1.311, but before the payment of the issue fee, and is accompanied by the fee of \$180.00 as set forth in 37 C.F.R. 1.17(p) and the following Statement as specified in 37 C.F.R. 1.97(e):

Statement Under 37 C.F.R. 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 C.F.R. 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a

counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2) and/or a copy of each document is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in a parent application in accordance with 37 C.F.R. §1.98(d).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicant(s) do(es) not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicant(s) request(s) that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC



Date: April 25, 2003

By: Hallie A. Finucane
Hallie A. Finucane
Reg. No. 33,172
HAF/mar

[illegible]

Examiner:

Date Considered: